

JOSHUA L. DRATEL
Admitted *Pro Hac Vice*
ALICE L. FONTIER
California State Bar No.229994
DRATEL & MYSLIWIEC, P.C.
2 Wall Street, 3rd Floor
New York, New York 10005
Telephone: (212) 732-0707

Attorneys for Basaaly Moalin

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE JEFFREY T. MILLER)

UNITED STATES OF AMERICA,

Plaintiff,

v.

BASAALY MOALIN, *et. al.*,

Defendant.

Case No. 10-CR-4246 (JM)

Date: January 10, 2013
Time: 9:00 a.m.

NOTICE OF MOTION AND
JOINT UNOPPOSED MOTION
FOR EXTENSION OF TIME TO
FILE OPPOSITION TO THE
GOVERNMENT'S *IN LIMINE*
MOTIONS

TO: LAURA E. DUFFY, UNITED STATES ATTORNEY, AND
WILLIAM COLE, ASSISTANT UNITED STATES ATTORNEY
CAROLINE PINEDA HAN, ASSISTANT UNITED STATES ATTORNEY

PLEASE TAKE NOTICE that defendants BASAALY MOALIN, MOHAMED MOHAMED MOHAMUD, ISSA DOREH, and AHMED NASIR TAALIL MOHAMUD respectfully move, before the Honorable Jeffrey T. Miller, United States District Judge for the Southern District of California, located at 940 Front Street, San Diego, California, for an order extending the time to file the Defense Opposition to the Government's Motions *In Limine*, for one day, to December 28, 2012.

The defense respectfully requests an order extending the time to file the Opposition to the Government's Motions *In Limine* that are currently due December 27, 2012, and allowing the defense to

1 file a Joint Opposition on December 28, 2012. The government, through Assistant United States Attorney
2 William Cole, consents to this request. This extension of time is requested because one of the issues
3 raised by the government – the testimony of the linguist – referenced documents that were not received by
4 the defense until 9:17 p.m. EST, December 26, 2012. The defense requires additional time to review the
5 documents and submit an appropriate response. In addition, three of the defense attorneys are traveling
6 following the holiday, and are unable to review the documents today, December 26, 2012.

7 Accordingly, the defendants make this joint request for a one-day extension of time to file the Joint
8 Opposition.

9 Respectfully submitted,

10 DATED: December 26, 2012

S/ Alice L. Fontier
JOSHUA L. DRATEL
ALICE L. FONTIER
DRATEL & MYSLIWIEC, P.C.
2 Wall Street, 3rd Floor
New York, New York 10005

Attorneys for Basaaly Moalin